

**MINUTES
REGULAR BOARD MEETING
THURSDAY, JANUARY 19, 2006, 9:00 A.M.**

Board Members Present at Roll Call: Les Abrams, Rod Bolden, Gabe Corral, Tom Heineman, Cynthia Henry, Myra Jefferson, Gaye Rutan. A quorum was present. Board Members Absent: Lee Ann Elliott, Sarah Vetault.

Also Present at Roll Call: Debb Pearson, Executive Director; Crickett Payne, Regulatory Compliance Administrator; Beth Campbell, Assistant Attorney General.

Tom Heineman acted as Chairperson.

The Board pledged allegiance to the flag of the United States of America.

Myra Jefferson moved that the Minutes of the December 15, 2005, Regular Board Meeting be approved. Les Abrams seconded the motion. The Board voted unanimously in favor of the motion.

PUBLIC ANNOUNCEMENTS AND CALL TO PUBLIC

None.

COMPLAINT REVIEW

Review and Action Concerning 1953/1954/1955/1956/1957/1958/2060, David S. DiPeso.

Respondent did not appear. Gaye Rutan moved that the Board accept the investigator's report with minor exceptions. Gabe Corral seconded the motion. The Board voted unanimously in favor of the motion. Gaye Rutan moved that the Board find Level II violations; offer respondent a due diligence consent letter citing violations and requiring education; and in the event respondent does not consent, that the matter be referred to informal hearing. Gabe Corral seconded the motion. The Board voted unanimously in favor of the motion.

Informal Hearing Concerning 1851, James R. Nelson.

Respondent appeared, was sworn in, made statements to the Board and answered the Board's questions. Tom Heineman moved that the Board accept the investigator's report. Gaye Rutan seconded the motion. The Board voted unanimously in favor of the motion. Gaye Rutan moved that the Board find Level III violations and offer respondent a Consent Agreement and Order of Discipline providing for education. Gabe Corral seconded the motion. The Board voted unanimously in favor of the motion.

Informal Hearing Concerning 1968, Thomas M. Kittlemann.

Respondent appeared, was sworn in, made statements to the Board and answered the Board's questions. Gabe Corral moved that the Board find Level I violations and issue respondent a nondisciplinary letter of concern. Myra Jefferson seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 1967, Corrie P. Boswell.

Respondent appeared. Les Abrams moved that the Board go into Executive Session for legal advice. Gaye Rutan seconded the motion. The Board voted unanimously in favor of the motion. Upon return from Executive Session, Les Abrams moved that the Board reopen the complaint. Gaye Rutan seconded the motion. The Board voted unanimously in favor of the motion. Respondent was instructed to provide the Board with additional documentation within one week.

Informal Hearing Concerning 1994/2018, Craig T. Passalacqua.

Respondent appeared, was sworn in, made statements to the Board and answered the Board's questions. Gaye Rutan moved that the Board accept the investigator's report. Les Abrams seconded the motion. The Board voted unanimously in favor of the motion. Gaye Rutan moved that the find Level IV violations; offer respondent a Consent Agreement and Order of Discipline providing for probation, mentorship and education; and in the event that respondent does not consent, that the matter be referred to formal hearing before the Office of Administrative Hearings (OAH). Les Abrams seconded the motion. The Board voted unanimously in favor of the motion.

Informal Hearing Concerning 1996, Paul S. Watson.

Respondent appeared, was sworn in, made statements to the Board and answered the Board's questions. Gaye Rutan moved that the Board find Level I violations and issue respondent a nondisciplinary letter of concern. Les Abrams seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 1919, Darold L. Deile.

Respondent and his attorney appeared. Gaye Rutan moved that the Board find respondent in noncompliance with the 5/05 Findings of Fact, Conclusions of Law and Order of Revocation; and that pursuant to the Order of Revocation, the stay be lifted and the revocation become immediately effective. Rod Bolden seconded the motion. The Board voted 4-3 in favor of the motion. Les Abrams, Cynthia Henry and Tom Heineman voted no.

Review and Action Concerning 2087, Morris A. Williams.

Respondent appeared. Staff summary was read. Gaye Rutan moved that the Board find no violations and dismiss the complaint. Tom Heineman seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 2003, Brian E. Trigueros.

Respondent did not appear. Gaye Rutan moved that the Board invite Respondent to an informal hearing. Gabe Corral seconded the motion. The Board voted unanimously in favor of the motion.

Gaye Rutan moved that the Board accept the investigator's report. Rod Bolden seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 2017, Donald J. Stenberg.

Respondent did not appear. Tom Heineman moved that the Board accept the investigator's report. Gaye Rutan seconded the motion. The Board voted unanimously in favor of the motion. Gaye Rutan moved that the Board invite Respondent to an informal hearing. Myra Jefferson seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 2040/2067, Randolph W. Buckingham.

Respondent did not appear. Gaye Rutan moved that the Board accept the investigator's report in 2040. Tom Heineman seconded the motion. The Board voted unanimously in favor of the motion.

Staff summary was read concerning 2067. Tom Heineman moved that the matters be referred to formal hearing before the Office of Administrative Hearings (OAH). Les Abrams seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 2045, Joanna M. Conde.

Respondent did not appear. Gabe Corral moved that the Board accept the investigator's report. Gaye Rutan seconded the motion. The Board voted unanimously in favor of the motion. Gaye Rutan moved that the Board invite Respondent to an informal hearing. Myra Jefferson seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 2081/2082, Stacey L. Fitzpatrick.

Respondent and her attorney appeared. Les Abrams moved that the Board go into Executive Session for legal advice. Myra Jefferson seconded the motion. The Board voted unanimously in favor of the motion. Upon return from Executive Session, Gaye Rutan moved that the Board subpoena additional information. Rod Bolden seconded the motion. The Board voted 6-1 in favor of the motion. Tom Heineman voted no.

Informal Hearing Concerning 1999/2000, Kent D. Maas.

Respondent appeared, was sworn in, made statements to the Board and answered the Board's questions. Gabe Corral moved that the Board find no violations and dismiss the complaints. Cynthia Henry seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 1771, Brad G. Wardrop.

Respondent did not appear. Gaye Rutan moved that the Board open Complaint 2126 against respondent for noncompliance with the 12/04 nondisciplinary letter of remedial action. Myra Jefferson seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 1950, Donald L. Mowery.

Respondent did not appear. Gabe Corral moved that the Board open Complaint 2127 against respondent for noncompliance with the 6/05 due diligence consent letter. Myra Jefferson seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 2059, Bryan S. Speelman.

Respondent did not appear. Staff summary was read. Gaye Rutan moved that the Board find Level I violations and offer respondent a nondisciplinary letter of concern citing violations. Gabe Corral seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 2074, David B. Harper.

Respondent did not appear. Staff summary was read. Gaye Rutan moved that the matter be referred to an investigator. Gabe Corral seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 2079, Brian D. Coup.

Respondent did not appear. Staff summary was read. Gaye Rutan moved that the Board find no violations and dismiss the complaint. Gabe Corral seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 2080, Anthony L. Cavallucci.

Respondent did not appear. Staff summary was read. Gaye Rutan moved that the Board find no violations and dismiss the complaint. Gabe Corral seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 2084, Julie E. Kearns.

Respondent did not appear. Staff summary was read. Gaye Rutan moved that the Board find Level I violations and offer respondent a nondisciplinary letter of concern citing violations. Myra Jefferson seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 2085, Dawna Rogers.

Respondent did not appear. Staff summary was read. Gaye Rutan moved that the Board find Level I violations and offer respondent a nondisciplinary letter of concern citing violations. Myra Jefferson seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 2086, Joseph E. Brimeyer.

Respondent did not appear. Staff summary was read. Gaye Rutan moved that the matter be referred to an investigator. Myra Jefferson seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 2088, Marc J. Seigleman.

Respondent did not appear. Staff summary was read. Gaye Rutan moved that the matter be referred to an investigator. Myra Jefferson seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 2091, Joseph E. Kaneakua.

Respondent did not appear. Staff summary was read. Gabe Corral moved that the Board accept the late filing of the appraiser logs and mentor reports, Find Level V Violations and offer respondent a new Consent Agreement and Order of Discipline. Cynthia Henry seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 2092, Thomas J. Dozier.

Respondent did not appear. Staff summary was read. Gabe Corral moved that the Board find no violations and dismiss the complaint. Rod Bolden seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 2093, Tim W.S. Longstaff.

Respondent did not appear. Staff summary was read. Gaye Rutan moved that the Board find no violations and dismiss the complaint. Gabe Corral seconded the motion. The Board voted unanimously in favor of the motion.

Gabe Corral left the meeting. A quorum remained.

Review and Action Concerning 2107, Paul G. Masters.

Respondent did not appear. Staff summary was read. Gaye Rutan moved that the Board (1) find Level V Violations; (2) offer respondent a new Consent Agreement and Order of Discipline beginning upon signature; (3) approve James W. Brown, Certified Residential Appraiser #20136, to act as respondent's mentor; and (4) in the event respondent does not consent, the matter be referred to formal hearing before the Office of Administration (OAH). Les Abrams seconded the motion. The Board voted unanimously in favor of the motion.

Informal Hearing Concerning 2004/2005, John K. Senerchia.

Respondent did not appear. Gaye Rutan moved that the Board accept the investigator's report. Myra Jefferson seconded the motion. The Board voted unanimously in favor of the motion. Gaye Rutan moved that the Board find Level IV violations and offer respondent a Consent Agreement and Order of Discipline providing for probation, mentorship and education. Les Abrams seconded the motion. The Board voted unanimously in favor of the motion.

Review and Action Concerning 1571/1572/1834/1840, Richard C. Blackburn; 1646/1766, Rodney L. Martensen; 1851, James R. Nelson.

Respondents did not appear. Les Abrams moved that, based on the Board's 12-month review, the complaints proceed as previously voted by the Board. Myra Jefferson seconded the motion. The Board voted unanimously in favor of the motion.

Gaye Rutan acted as Chairperson.

Review and Action Concerning 1310/1392, Jim L. Sanders.

Tom Heineman recused himself. Respondent did not appear. Gaye Rutan moved that, based on the Board's 12-month review, the complaints proceed as previously voted by the Board. Les Abrams seconded the motion. The Board voted unanimously in favor of the motion.

Tom Heineman acted as Chairperson.

BOARD CHAIRPERSON REPORT

None.

EXECUTIVE DIRECTOR REPORT

Debb Pearson reported on the status of the Assistant Attorney General's assignments; advised complaint answer dates that had been extended by staff; and reported the following complaint status for calendar year 2005 through 12/31/05:

Complaints filed	160	
Complaints dismissed	47	
Complaints referred to investigation		49
Complaints resolved with nondisciplinary letter of concern		11
Complaints resolved with nondisciplinary letter of remedial action		9
Complaints resolved with disciplinary letter of due diligence	3	
Complaints resolved with probation		5
Complaints referred to informal hearing	22	
Complaints referred to formal hearing	6	
Complaints resolved with suspension	1	
Complaints resolved with surrender		0
Complaints resolved with revocation		1
Complaints resolved with cease and desist letters		3
Violations Levels (Effective 7/2/05):		
I	12	
II	4	
III	2	
IV	0	
V	3	

APPLICATION REVIEW COMMITTEE REPORT

Tom Heineman reported the following Arizona appraiser and property tax agent information as of January 18, 2006:

Licensed Residential	932	
Certified Residential	860	
Certified General	770	
Nonresident Temporary	91	Total 2653
Property Tax Agents	288	

Myra Jefferson moved that the Board deny certified general application #5677, Scott A. McHenry, pursuant to A.R.S. §§ 32-3611(D) and 32-3631(A)(5). Tom Heineman seconded the motion. The Board voted unanimously in favor of the motion. The Board tabled action on nonresident temporary certified general application #5684, Edward P. Karabedian, to further review the application. Gaye Rutan moved that the Board accept the Committee's recommendations (see attached). Les Abrams seconded the motion. The Board voted unanimously in favor of the motion. Gaye Rutan moved that the Board modify the proposed revisions to the applications. Les Abrams seconded the motion. The Board voted unanimously in favor of the motion.

APPRAISAL TESTING AND EDUCATION COMMITTEE REPORT

Les Abrams moved that the Board accept the Committee's recommendations (see attached). Gaye Rutan seconded the motion. The Board voted unanimously in favor of the motion.

BUDGET COMMITTEE REPORT

Tom Heineman moved that the Board accept the Committee's report. Les Abrams seconded the motion. The Board voted unanimously in favor of the motion.

OLD BUSINESS

None.

NEW BUSINESS

None.

CONFIRMATION OF MEETING DATES, TIMES, LOCATIONS AND PURPOSES

The upcoming Committee and Board meetings were scheduled as follows:

February

15	Application Review	3:00 p.m.
16	Education	8:30 a.m.
16	Board Meeting	9:00 a.m.

ADJOURNMENT

The meeting was adjourned.

Thomas E. Heineman, Chairperson